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FISCAL IMPACT STATEMENT

LS 7659

BILL NUMBER: HB 1439

NOTE PREPARED: Feb 21, 2005

BILL AMENDED: Feb 21, 2005

SUBJECT: Voter Identification.

FIRST AUTHOR: Rep. Brown T

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) *Proof of Voter Identification*- The bill requires a precinct election officer to ask a voter to provide proof of identification before the voter is permitted to vote. The bill provides that a proof of identification is a document issued by the United States or the state of Indiana that shows the name of the individual to whom the document was issued and a photograph of that individual. The bill permits the use of an expired document as proof of identification if the document expired after the date of the most recent general or municipal election.

Provisional Ballots- The bill specifies that a voter who is unable or declines to produce proof of identification at the polls receives a provisional ballot if the voter signs the affidavit required for a provisional ballot. The bill requires the county election board to count the provisional ballot if : (1) the voter appears before the board after leaving the polls and before noon on the Monday following the election, and: (A) produces proof of identification; or (B) executes an affidavit stating that the voter cannot obtain proof of identification, because the voter is indigent or has a religious objection to being photographed; and (2) the voter has not been challenged or required to vote a provisional ballot for any other reason.

Absentee Ballots- The bill specifies that a voter casting an absentee ballot is not required to provide proof of identification. The bill requires a voter who registered by mail and is voting for the first time in a county election to continue to provide the documentation required by federal law as well as producing proof of identification.

Effective Date: (Amended) July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *Summary-* Under the bill, poll clerks and assistant poll clerks would check photo identification of voters before allowing entrance to the polls. If a voter either failed or refused to produce the identification required under the bill, or a poll worker were to determine that the identification presented did not qualify as proof of identification of the voter, the voter would be required to be challenged by the precinct election board. Upon completion of the proper affidavit, a challenged voter, under the bill, would be able to vote on a provisional ballot.

Additionally, the bill would give the option to challenged voters to appeal their challenge with the county election board (CEB). The CEB would determine if the challenge had been made for a valid reason under the bill. The CEB would be required to determine if the sole reason for a voter challenge was due to proof of identification issues. A challenged voter could have their challenge overturned and their ballot processed by presenting their proof of identification to the CEB. Voters that were solely challenged for proof of identification and were indigent or had a religious objection to being photographed would be able to have their provisional ballot processed.

These provisions of the bill would add to the administrative responsibility of both the county election boards and precinct election boards. However, the provision should be able to be administered within existing local resources.

Background- Based on a small sample of Indiana counties, per diem for election board members range from \$65 to \$150 for inspectors and from \$40 to \$100 for judges, clerks, and sheriffs.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County election boards, precinct election boards.

Information Sources: Various County Election Boards and County Circuit Court Clerk's Offices.

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